

DECLARATION AND POWER OF ATTORNEY

As 1 below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **CLASP-5 TRANSMEMBRANE PROTEIN** the specification of which is attached hereto.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under
			35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/240,508	10/13/2000
60/240,539	10/13/2000
60/240,543	10/13/2000
60/196,267	04/11/2000
60/196,527	04/11/2000
60/196,528	04/11/2000
60/196,460	04/11/2000
60/182,296	02/14/2000
60/176,195	01/14/2000
60 170,453	12 13 1999

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Andrew T. Serafini, Reg. No. 41,303
 Randolph T. Apple, Reg. No. 36,429
 William M. Smith, Reg. No. 30,223

Send Correspondence to: Andrew T. Serafini TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Andrew T. Serafini Reg. No.: 41,303 Telephone: 650-326-2400
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Full Name of Inventor 1:	Last Name: Lu	First Name: Peter	Middle Name or Initial: S.
Residence & Citizenship:	City: Mountain View	State/Foreign Country: California	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 99 East Middlefield Road 29	City: Mountain View	State/Country: CA Postal Code: 94043
Full Name of Inventor 2:	Last Name: Garman	First Name: Jonathan	Middle Name or Initial: D.
Residence & Citizenship:	City: San Jose	State/Foreign Country: California	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 5084 McCoy Avenue	City: San Jose	State/Country: CA Postal Code: 95130
Full Name of Inventor 3:	Last Name: Candia III	First Name: Albert	Middle Name or Initial: F.
Residence & Citizenship:	City: Menlo Park	State/Foreign Country: California	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 789 Marsh Road	City: Menlo Park	State/Country: CA Postal Code: 94025

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1

Signature of Inventor 2

Signature of Inventor 3

Date

Date

Date

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Peter S. Lu et al.

Application No./Patent No.: 09/736,960 Filed/Issue Date: December 13, 2000

Entitled: CLASP-5TRANSMEMBRANE PROTEIN

Arbor Vita Corporation, a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest, or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8.]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date

Signature

Peter S. Lu, M.D.
Typed or printed name

Title

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHIEREAS, Peter S. Lu, of 99 East Middlefield Road 29, Mountain View, CA 94043; Jonathan D. Garman, of 5084 McCoy Avenue, San Jose, CA 95103; Albert F. Candia III, of 789 Marsh Road, Menlo Park, CA 94025, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: CLASP-5 TRANSMEMBRANE PROTEIN

Date(s) of execution of Declaration:

Filing Date: December 13, 2000

Application No.: 09/736,960; and

WHEREAS, Arbor Vita Corporation, a corporation of the state of California, located at 772 Lucerne Drive, Sunnyvale, CA, 94085, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment
Attorney Docket No.: 020054-000511US
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Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 4/23/01

Peter S. Lu

STATE OF CALIFORNIA)
)
COUNTY OF)

On _____, before me, _____, personally appeared Peter S. Lu, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____

Dated: 4/23/01



Jonathan D. Garman

On _____, before me, _____, personally appeared Jonathan D. Garman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on

the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____

Dated: 4/23/01

Albert T. Lembright

Albert F. Candia III

STATE OF CALIFORNIA)
)
COUNTY OF)

On _____, before me, _____, personally appeared Albert F. Candia III, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____